IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.31750 of 1998

Dated: 13-04-2007

Between:

B. Chudamani, w/o late B. Vanayya.

... Petitioner

and

1. The Mandal Revenue Officer, Palasa Mandal, Srikakulam District and 2 others.

... Respondents

ORDER:

Heard learned counsel for the parties.

2. Petitioner states that she is the successor to the remains of her late husband, namely, B. Vanayya, who was assigned a house site in an extent of 240 sq. yards in Sy.No.207/2 of Kasibugga town in 1958. During the lifetime, her husband having addicted to vices sold out a portion of the said site, which came to light only after his death. While so, first respondent – Mandal Revenue Officer issued notice in

RC.No.565/96A, dated 16-06-1997 for recovery of market value, to which she offered her reply contending that the said notice was unwarranted. Subsequently,
as first respondent issued impugned notice in RC.No.565/96/A, dated 20-10-1998 directing her to pay an amount of Rs.1,24,700/- towards market value of the site in question in terms of G.O.Ms.No.508 Rev. (ASSIGN:I) Dept., dated 20-10-1995 vide Rc.No.1686/96/E3, dated 03-06-1997 of the Collector, Srikakulam, she filed the instant writ petition seeking a *mandamus* to declare the issuance of the impugned notice as arbitrary and malicious .

3. Learned Counsel for petitioner produced a copy of proceedings in Rc.565/96A dated 14-07-1999 issued by first respondent – Mandal Revenue Officer, Palasa wherein it is stated that petitioner is informed that her representation requesting exemption from payment of market value for the land occupied in S.No.207/2 of Kasibugga has been considered.

4. From the above, it is not clear as to whether the authority has exempted the payment of market value or not. In that view of the matter,
I deem it appropriate to dispose of the writ petition with a direction to the authorities to consider the representation of petitioner dated 05-11-1997 and pass appropriate orders either for granting exemption from payment of market value or not.

5. Accordingly, the writ petition is disposed of. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.13-04-2007

GLV